

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

HUAWEI TECHNOLOGIES CO. LTD.,

Plaintiff,

v.

T-MOBILE US, INC. and
T-MOBILE USA, INC.,

Defendants,

NOKIA SOLUTIONS AND NETWORKS US
LLC, NOKIA SOLUTIONS AND
NETWORKS OY,
TELEFONAKTIEBOLAGET LM ERICSSON,
and ERICSSON INC.

Intervenors.

Civil Action No. 2:16-cv-00052-JRG-RSP
Civil Action No. 2:16-cv-00055-JRG-RSP
Civil Action No. 2:16-cv-00056-JRG-RSP
Civil Action No. 2:16-cv-00057-JRG-RSP

JURY TRIAL DEMANDED

JOINT MOTION IN *LIMINE*

The parties agree that counsel and witnesses will not mention, refer to, or offer any evidence or argument relating to any of the following topics within the hearing of any member of the jury panel, either in *voir dire* or at any time during trial:

1. The parties are precluded from making statements that are inconsistent with the Federal Judicial Center's patent video, and from praising or criticizing the performance, reliability, or credibility of the USPTO or the examiners that work at the USPTO. The parties are not precluded from introducing evidence that a particular prior art reference was or was not considered during prosecution of an asserted patent. The parties are also not precluded from arguing that an asserted claim is valid or invalid, or from making statements consistent with the Federal Judicial Center's patent video.
2. The parties are precluded from making statements referring to mock trials, jury research, jury consultants, or shadow juries.
3. No party shall reference or imply problems with intellectual property protection in China (e.g., that China doesn't adequately protect U.S. intellectual property)
4. No party shall reference or imply a relationship between Huawei and the Chinese government.
5. No party shall reference the military background of Mr. Ren Zhenfei, the CEO and founder of Huawei.
6. No party shall refer to any party's closure of offices or businesses in the United States.

Dated: August 14, 2017

Respectfully submitted,

By: /s/ Jonathan J. Lamberson
Ruffin Cordell
Texas Bar No. 04820550
cordell@fr.com
Richard A. Sterba
DC Bar No. 461417
sterba@fr.com
FISH & RICHARDSON P.C.
1425 K Street, N.W., 11th Floor
Washington, D.C. 20005
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Thomas H. Reger II
Texas Bar No. 24032992
reger@fr.com
Carl E. Bruce
Texas Bar No. 24036278
bruce@fr.com
David B. Conrad
Texas Bar No. 24049042
conrad@fr.com
Jane Du
Texas Bar No. 24076355
du@fr.com
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, TX 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

David Barkan
California Bar No. 160825
barkan@fr.com
Jonathan J. Lamberson
California Bar No. 239107
lamberson@fr.com
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Kevin Su
Massachusetts Bar No. 663726
su@fr.com
FISH & RICHARDSON P.C.
One Marina Park Drive
Boston, MA 02210
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

**COUNSEL FOR PLAINTIFF HUAWEI
TECHNOLOGIES CO. LTD.**

/s/ Mark D. Selwyn

Mark D. Selwyn
(California Bar No. 244180)
Kathryn D. Zalewski
(California Bar No. 263119)
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
950 Page Mill Road
Palo Alto, California 94304
(650) 858-6000

Joseph J. Mueller
(Massachusetts Bar No. 647567)
Cynthia Vreeland
(Texas Bar No. 20625150
Massachusetts Bar No. 635143)
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
60 State Street
Boston, MA 02109
(617) 526-6000

Michael E. Jones
Texas Bar No. 10929400
mikejones@potterminton.com
E. Glenn Thames, Jr.
Texas Bar No. 00785097
glennthames@potterminton.com
POTTER MINTON, PC
110 North College Ave., Suite 500
Tyler, Texas 75702
Tel: 903-597-8311
Fax: 903-593-0846

*Counsel for Defendants T-Mobile US, Inc. and
T-Mobile USA, Inc.*

/s/ Marsha E. Diedrich

John Haynes (GA Bar No. 340599)
Patrick Flinn (GA Bar No. 264540)
Michael C. Deane (GA Bar No. 498195)
Nicholas Tsui (GA Bar No. 982502)

ALSTON & BIRD LLP

1201 W. Peachtree St.
Atlanta, GA 30309-3424
Telephone: (404) 881-7000
Facsimile: (404) 881-7777
Email: Patrick.Flinn@alston.com
Email: John.Haynes@alston.com
Email: Michael.Deane@alston.com
Email: Nick.Tsui@alston.com

Michael J. Newton
(TX Bar No. 24003844)
Derek Neilson
(TX Bar No. 24072255)

ALSTON & BIRD LLP
2800 N. Harwood St., Suite 1800
Dallas, Texas 75201
Telephone: (214) 922-3400
Facsimile: (214) 922-3899
Email: Mike.Newton@alston.com
Email: Derek.Neilson@alston.com

M. Scott Stevens (NC Bar No. 37828)
Ross R. Barton (NC Bar No. 37179)
Linda Chang (NC Bar No. 44290)
Robert Caison (NC Bar No. 46632)
Samuel Merritt (NC Bar No. 47945)
M. Joseph Fernando (NC Bar No. 49199)

ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Telephone: (704) 444-1000
Facsimile: (704) 444-1111
Email: Scott.Stevens@alston.com
Email: Ross.Barton@alston.com
Email: Linda.Chang@alston.com
Email: Robert.Caison@alston.com
Email: Sam.Merritt@alston.com
Email: Ravi.Fernando@alston.com

Marsha E. Diedrich
(CA Bar No. 93709)
ALSTON & BIRD LLP
333 South Hope Street, 16th Floor
Los Angeles, CA 90071
Telephone: (213) 576-1000
Facsimile: (213) 576-1100
Email: Marsha.Diedrich@alston.com

Thomas Davison
(FL Bar No. 55687)
ALSTON & BIRD LLP
The Atlantic Building
950 F Street, NW
Washington, DC 20004-1404
Telephone: (202) 239-3300
Facsimile: (202) 239-3333
Email: Tom.Davison@alston.com

Deron R. Dacus
Texas State Bar No. 790553
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Telephone: (903) 705-1117
Facsimile: (903) 581-2543
Email: ddacus@dacusfirm.com

*Counsel for Intervenors Nokia Solutions
and Networks US LLC and Nokia Solutions
and Networks Oy.*

/s/ Phillip B. Philbin

Phillip B. Philbin
LEAD ATTORNEY
State Bar No. 15909020

Jamie H. McDole
State Bar No. 24082049

Charles M. Jones II
State Bar No. 24054941

Michael D. Karson
State Bar No. 24090198

Hamilton C. Simpson

State Bar No. 24083862

HAYNES AND BOONE, LLP

2323 Victory Avenue, Suite 700

Dallas, Texas 75219

Tel.: (214) 651-5000

Fax: (214) 651-5940

Email: phillip.philbin@haynesboone.com

jamie.mcdole@haynesboone.com

charlie.jones@haynesboone.com

michael.karson@haynesboone.com

hamilton.simpson@haynesboone.com

Counsel for Intervenors

*Telefonaktiebolaget LM Ericsson and
Ericsson Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on August 14, 2017 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Jonathan J. Lamberson

Jonathan J. Lamberson